

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VINTON FROST,
Plaintiff,
v.

UNITED STATES OF AMERICA,
Defendant.

Case No. 19-cv-05365-JD

ORDER RE DISMISSAL

Re: Dkt. No. 20

In a prior order, the Court denied pro se plaintiff Vinton Frost's application to proceed in forma pauperis, and dismissed the first amended complaint with leave to amend. Dkt. No. 10. At Frost's request, the Court extended the deadline to amend by two months. Dkt. No. 16. Frost was still late in filing the amended complaint, Dkt. No. 20, but the Court will allow it in light of his pro se status.

The new complaint does not resolve the problems that led to the dismissal of the prior complaint. Frost again focuses on three cases dismissed by other courts in this district and one pending appeal, including *Frost v. Steyer*, 16-cv-05883-RS (N.D. Cal. Oct. 11, 2016); *Frost v. United States Department of Justice*, 17-cv-01240-JCS (N.D. Cal. Mar. 9, 2017), *appeal docketed*, No. 19-15579 (9th Cir. Mar. 28, 2019); and *Frost v. United States Department of Homeland Security*, 18-cv-0871-HSG (N.D. Cal. Feb. 9, 2018). *See* Dkt. No. 20 at 3-5. Frost does not state any new facts, or explain how this case is meaningfully different, if at all, from these dismissed cases.

Consequently, despite the extra measure of consideration granted to Frost as a pro se litigant, the second amended complaint is dismissed with prejudice. *See Nguyen Gardner v.*

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Chevron Capital Corp., No. 15-CV-01514-JD, 2016 WL 7888025, at *2 (N.D. Cal. July 19, 2016), *aff'd*, 715 F. App'x 737 (9th Cir. 2018).

IT IS SO ORDERED.

Dated: March 6, 2020



JAMES DONATO
United States District Judge